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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 10/619,418 | 07/16/2003 | Kim Andrew Leblanc | 49519-2 | 7352 |
| 7590 | 06/22/2005 | | EXAMINER | |
| Ms. Roseann B. Caldwell BENNETT JONES LLP 4500, 855 - 2nd STREET S.W. Galgary, AB T2P 4K7 CANADA | | | PECHHOLD, ALEXANDRA K | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3671 | |
| | | | DATE MAILED: 06/22/2005 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/619,418 | LEBLANC, KIM ANDREW |
| | Examiner Alexandra K. Pechhold | Art Unit 3671 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 March 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) _____ is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 1,3-7,9-18,23 and 24 is/are allowed.
 6) Claim(s) 19-21 is/are rejected.
 7) Claim(s) 22 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pava (US 3,912,138) in view of Savage et al (US 4,761,847).**

Regarding claim 19, Pava discloses a collapsible loading ramp comprising:

- at least a first longitudinal support structure and a second longitudinal support structure, seen as the two vertical posts in Fig. 1, each having an upper surface and each including a raised post extending from the upper surface, seen as (12) in Fig. 1, the first longitudinal support structure is capable of being folded at a hinge,
- a cross-member, seen as (11) in Fig. 1, including a first aperture formed to fit over the raised post on the first longitudinal support structure and a second aperture spaced from the first and formed to fit over the raised post on the second longitudinal support structure, seen in Figs. 3 and 4 as the hollow aperture at the ends of (11) where (12) is inserted, the cross member thereby being formed to attach between the first and second

longitudinal support structure by removably engaging over the posts (12) as shown in Figs. 1-3, and

- the first longitudinal support, second longitudinal support, and cross member each being separable from the others as disclosed in the Abstract as being selectively interconnectible.

Pava fails to disclose a safety cable connected about the hinge such that the safety cable is pulled tight about the hinge when the longitudinal support structure is extended. Savage teaches a portable folding ramp with a hinge and a safety cable, seen as cable (44), connected about the hinge such that it is pulled tight about the hinge when the structure is extended (see Fig. 1). Savage states that the cable serves to relieve stresses on hinge (28) while absorbing a load placed on top surfaces of the panels (Col 4, lines 41-44). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the ramp of Pava to include a safety cable connected about the hinge as taught by Savage, since Savage states in column 4, lines 41-44 that the cable helps to relieve stresses on the hinge while absorbing a load placed on top surfaces of the panels.

3. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pava (US 3,912,138) and Savage et al (US 4,761,847) as applied to claim 19 above, and further in view of Henderson (US 6,527,326). The combination of Pava and Savage fails to disclose a shock absorber at the hinge. Henderson discloses a ramp with hinges and uses a shock absorber at the location of the hinges. Henderson specifically discloses the rubber material as seal (76) located at the hinge (21) between

panels (12, 14). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of Pava and Savage to include a shock absorber at the hinge as taught by Henderson, since Henderson states in column 3, lines 13-18 that the rubber material at the hinge can serve as a seal.

4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pava (US 3,912,138) in view of Henderson (US 6,527,326). Pava discloses the limitations of the claimed invention as discussed with regards to claim 19 above, except for disclosing a shock absorber at the hinge. The combination of Pava and Savage fails to disclose a shock absorber at the hinge. Henderson discloses a ramp with hinges and uses a shock absorber at the location of the hinges. Henderson specifically discloses the rubber material as seal (76) located at the hinge (21) between panels (12, 14). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of Pava and Savage to include a shock absorber at the hinge as taught by Henderson, since Henderson states in column 3, lines 13-18 that the rubber material at the hinge can serve as a seal.

Allowable Subject Matter

5. Claims 1, 3-7, 9-18, 23, and 24 are allowed.

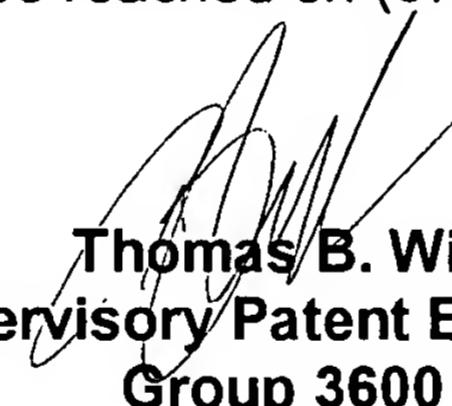
6. Claim 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new grounds of rejection. Some of the previously indicated allowable subject matter is withdrawn in light of these new grounds of rejection. Since the applicant has just amended the claims to indicate the previously indicated allowable subject matter, and the Examiner is applying a new art rejection to the claims, the office action is made non-final.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexandra Pechhold whose telephone number is (571) 272-6994. The examiner can normally be reached on Mon-Thurs. from 8:00am to 5:30pm and alternating Fridays from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached on (571) 272-6998. The fax phone number for this Group is (703) 872-9306.



Thomas B. Will
Supervisory Patent Examiner
Group 3600

AKP

6/16/05